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| 09/489,134                     | 01/21/2000  | William J. Baer      | STL000012US1        | 5405             |
| 23373                          | 7590        | 11/19/2004           | EXAMINER            |                  |
| SUGHRUE MION, PLLC             |             |                      | PHAM, HUNG Q        |                  |
| 2100 PENNSYLVANIA AVENUE, N.W. |             |                      | ART UNIT            |                  |
| SUITE 800                      |             |                      | PAPER NUMBER        |                  |
| WASHINGTON, DC 20037           |             |                      | 2162                |                  |

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/489,134

Applicant(s)

BAER ET AL.

Examiner

HUNG Q PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the first ground of rejection of claims 1-99 under 35 U.S.C § 103(a) as being unpatentable over Poole et al.

have been considered and are persuasive. The rejection of claims 1-99 has been withdrawn.

2. Applicant's arguments with respect to the second ground of rejection of claims 1-99 under 35 U.S.C § 103(a) as being unpatentable over The McGraw-Hill Companies (McGraw-Hill) have been fully considered but they are not persuasive.

As argued by applicant at page 5:

*In order to render a claim obvious, the prior art must teach or suggest making the asserted modification the primary reference. Here the examiner merely asserts that "a user can combine [a] selection from any discipline in any order." In essence, the examiner appears to take the position that merely because a user could take certain actions it would have been obvious to do so. It is respectfully submitted, however, that the teaching or suggestion to make the asserted modification must be found in the prior art and no such suggestion has been shown.*

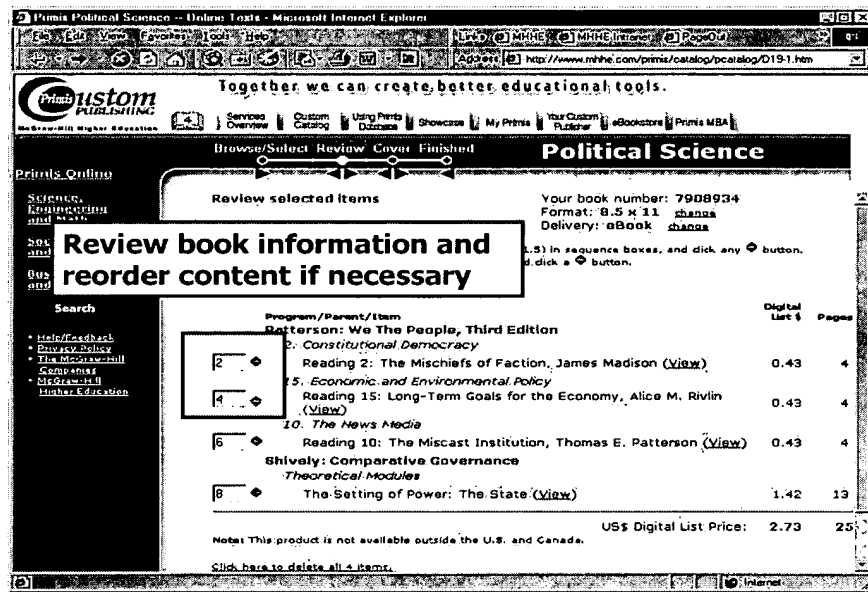
Examiner respectfully traverses because of the following reasons:

McGraw-Hill teaches a method and system for creating a customized textbook. The interface as illustrated at page 7 is *a collection of content*. By selecting a discipline at page 5, i.e., *Business Law*, and a title of a book at page 6, i.e., *Corley-Reed-Shedd-Moorehead: The Legal and Regulatory Environment of Business, 11<sup>th</sup> Edition*, the interface at

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page 7 *presents a plurality of* Chapter and Sections as *selectable objects to a user*, *each* Chapter and Section as *object representing* Business Law as *a subset of the collection of content*. As further disclosed by McGraw-Hill, Primis database publishing is an innovative and sophisticated electronic custom publishing database that contains a collection of modular, stand-alone text files that can be mixed and matched and then seamlessly arranged to create a book “on demand” for a particular course... Instructors can compile parts of several texts and add articles, review notes, case studies and even their own syllabus to create their own textbook (page 3). *In response to selection by a user of one or more of* chapters and sections as *objects* by using the *add* button as illustrated at page 7, the customized textbook as *a compilation of the content represented by each selected object is created* based on the selected chapters and sections. The missing of McGraw-Hill is a hierarchy of the compilation. However, the content of a book is hierarchical in nature, i.e., book, chapters and sections. As suggested by McGraw-Hill, a user can combine selections from any discipline in any order into the user’s own book (page 3). As seen, by specifying an order of the chapters and sections of the compilation, i.e., a chapter in The Legal and Regulatory Environment of Business on page 7 could be selected to compile with other sections in a particular order, the compilation, obviously, is *hierarchical*. The example below is the result of a hierarchical compilation:

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Thus, by creating a particular order when compiling a user's own book, the compilation will be hierarchical as suggested by McGraw-Hill.

### Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**4. Claims 1, 6-8, 11-23, 25-28, 30-31, 36-38, 41-53, 55-58, 60-61, 66-68, 71-83, 85-88, 90-91, 94 and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over by The McGraw-Hill Companies [McGraw Hill Primis Custom Publishing].**

Regarding claims 1, 31 and 61, McGraw-Hill teaches a method and system for creating a customized textbook. The interface as illustrated at page 7 is *a collection of content*. By selecting a discipline at page 5, i.e., *Business Law*, and a title of a book at page 6, i.e., *Corley-Reed-Shedd-Moorehead: The Legal and Regulatory Environment of Business, 11<sup>th</sup> Edition*, the interface at page 7 *presents a plurality of* Chapter and Sections as *selectable objects to a user, each* Chapter and Section as *object representing* Business Law as *a subset of the collection of content*. As further disclosed by McGraw-Hill, Primis database publishing is an innovative and sophisticated electronic custom publishing database that contains a collection of modular, stand-alone text files that can be mixed and matched and then seamlessly arranged to create a book "on demand" for a particular course... Instructors can compile parts of several texts and add articles, review notes, case studies and even their own syllabus to create their own textbook (page 3). *In response to selection by a user of one or more*

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of chapters and sections as *objects* by using the *add* button as illustrated at page 7, the customized textbook as *a compilation of the content represented by each selected object is created* based on the selected chapters and sections. The missing of McGraw-Hill is a hierarchy of the compilation. However, the content of a book is hierarchical in nature, i.e., book, chapters and sections. As suggested by McGraw-Hill, a user can combine selections from any discipline in any order into the user's own book (page 3). As seen, by specifying an order of the chapters and sections of the compilation, i.e., a chapter in The Legal and Regulatory Environment of Business on page 7 could be selected to compile with other sections in a particular order, the compilation, obviously, is *hierarchical*. It would have been obvious for one of ordinary skill in the art at the time the invention was made to specify an order of the customized book when compiling in order to build a customized book from a plurality of fields of study.

Regarding claims 6, 36 and 66, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the collection of content comprises hierarchically related data* (page 7).

Regarding claims 7, 37 and 67, McGraw-Hill teaches all the claimed subject matters as discussed in claims 6, 36 and 66, McGraw-Hill further disclose *the collection of content comprises text documents and the subset of content associated with each selectable object comprises at least one of a section* (pages 3 and 7).

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Regarding claims 8, 38 and 68, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *displaying to the user the selected objects in a predetermined order such that the user may rearrange the order of the selected objects as desired through a user interface* (Review and Resequencing, page 9).

Regarding claims 11, 41 and 71, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses the step of *receiving content input by a user and creating a selectable object from the content* (pages 5-7).

Regarding claims 12, 42 and 72, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the user may concurrently create a plurality of compilations* (pages 7, 9 and 12).

Regarding claims 13, 43 and 73, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses the step: *after creation of the compilation, presenting the compilation to a user for modification* (page Review and Resequencing of page 9).

Regarding claims 14, 44 and 74, McGraw-Hill teaches all the claimed subject matters as discussed in claims 13, 43 and 73, McGraw-Hill further



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discloses the step of *creating a copy of the compilation, applying changes input by a user to the copy, and creating a new compilation therefrom* (page 3).

Regarding claims 15, 45 and 75, McGraw-Hill teaches all the claimed subject matters as discussed in claims 13, 43 and 73, McGraw-Hill further discloses *the user may select an object for removal from the compilation* (Microsoft Powerpoint presentation presenting how to user Primis Online).

Regarding claims 16, 46 and 76, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the user may select to clear the compilation* (Microsoft Powerpoint presentation presenting how to user Primis Online).

Regarding claims 17, 47 and 77, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill does not explicitly disclose *the user may select to undo an operation affecting the compilation*. However, undo an operation that affecting a compilation is a conventional operation such as the undo in Word Editor. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill method by including the technique of undoing an object from a compilation in order to compile a document.

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Regarding claims 18, 48 and 78, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses the claimed *after creation of the compilation, of submitting the compilation to an approval process* (Microsoft Powerpoint presentation presenting how to user Primis Online).

Regarding claims 19, 49 and 79, McGraw-Hill teaches all the claimed subject matters as discussed in claims 18, 48 and 78, McGraw-Hill further discloses *the approval process further comprises one of approving the compilation for publication; rejecting the compilation* (Microsoft Powerpoint presentation presenting how to user Primis Online).

Regarding claims 20, 50 and 80, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the presenting step further comprises the step of presenting all of the content comprising the collection of content to the user as a plurality of selectable objects* (page 7).

Regarding claims 21, 51 and 81, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the presenting step further comprises the step of presenting less than all of the content comprising the collection of content to the user as a plurality of selectable objects* (pages 5-7).

Regarding claims 22, 52 and 82, McGraw-Hill teaches all the claimed subject matters as discussed in claims 21, 51 and 81, McGraw-Hill further discloses the step of *partitioning the collection of content into a plurality of categories, and presenting all content objects belonging to a category to a user* (page 5).

Regarding claims 23, 53 and 83, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses the step of *receiving search criteria input by the user; determining which of the subsets of the collection of content satisfy the search criteria; and presenting to the user a plurality of selectable objects corresponding to the subsets of content satisfying the search criteria* (pages 5-6).

Regarding claims 25, 55 and 85, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *a selectable object further comprises one of a container and a content entity* (page 7).

Regarding claims 26, 56 and 86, McGraw-Hill teaches all the claimed subject matters as discussed in claims 25, 55 and 85, McGraw-Hill further discloses *in response to selection of the container to add to a compilation, adding the*

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*selected container and any containers or content entities it contains to the compilation*

(Microsoft Powerpoint presentation presenting how to user Primis Online).

Regarding claims 27, 57 and 87, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the selectable objects further comprise titles of their associated subsets of content* (page 7).

Regarding claims 28, 58 and 88, McGraw-Hill teaches all the claimed subject matters as discussed in claims 25, 55 and 85, McGraw-Hill further discloses *containers are at least one of a book, a volume, and a chapter* (page 7).

Regarding claims 30, 60 and 90, McGraw-Hill discloses a method of compiling a customized textbook from a collection of content stored in a database (pages 1-3) by presenting a plurality of books as *content objects*, each book comprising a plurality of chapters and sections as *hierarchically related content entities* (pages 7, 9 and 12). In order to build a customized book, the user can select any presented section to compile into his/her customized book (pages 7, 9 and 12). In different words the technique of compilation as discussed indicates the step of *creating a compilation from selected content entities in response to selection of ones of the hierarchically related elements to include in a compilation*. The missing of McGraw-Hill is a hierarchy of the compilation. However, the content of a book is hierarchical in nature, i.e., book, chapters and sections. As

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suggested by McGraw-Hill, a user can combine selections from any discipline in any order into the user's own book (page 3). As seen, by specifying an order of the chapters and sections of the compilation, i.e., a chapter in The Legal and Regulatory Environment of Business on page 7 could be selected to compile with other sections in a particular order, the compilation, obviously, is *hierarchical*. It would have been obvious for one of ordinary skill in the art at the time the invention was made to specify an order of the customized book when compiling in order to build a customized book from a plurality of fields of study.

Regarding claims 91, 94 and 97, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the compilation of content is created automatically in response to the user selecting said one or more of said objects* (page 7).

**5. Claims 2-3, 29, 32-33, 59, 62-63 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over The McGraw-Hill Companies [McGraw Hill Primis Custom Publishing] in view of Mortimer et al. [USP 6,091,930].**

Regarding claims 2, 32 and 62, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further discloses *the collection of content comprises at least one of a book, a document, an image* but does not teach a *collection of musical selections and a video*. Mortimer

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teaches a technique of creating a customized student book and the collection of content comprises a collection of musical selections and a video (Mortimer, FIG. 2a). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill method by including audio, and video in the collection of content in order to construct an electronic book embedded with audio, and video.

Regarding claims 3, 33 and 63, McGraw-Hill and Mortimer, in combination, teach all of the claimed subject matter as discussed above with respect to claims 2, 32 and 62, McGraw-Hill further discloses *subsets of content comprise one of a chapter and sections of a text document* (McGraw-Hill, page 7).

Regarding claims 29, 59 and 89, McGraw-Hill teaches all the claimed subject matters as discussed in claims 25, 55 and 85, McGraw-Hill further discloses *the collection of content comprises at least one of a book* (McGraw-Hill, page 5). McGraw-Hill does not teach *the collection of content comprises at least one of image album and videos*. Mortimer teaches a technique of creating a customized student book and the collection of content comprises image album and a video (Mortimer, FIG. 2a). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill method by including image and video in the collection of content in order to construct an electronic book embedded with image and video.

**6. Claims 4-5, 34-35 and 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over The McGraw-Hill Companies [McGraw Hill Primis Custom Publishing] in view of ksinclair.com [Free E-books You Can Download].**

Regarding claims 4, 34 and 64, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but fails to disclose *each selectable object is associated with a cost, and further comprising the step of calculating a cost for the created compilation based upon the costs of the selected objects*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. Ksinclair.com further discloses *each selectable object is associated with a cost* but fails to disclose the step of *calculating a cost for the created compilation based upon the costs of the selected objects*. However, a cost for a created compilation is a service charge based on the cost of maintaining an object such as an e-book and could be calculated upon the cost of that e-book. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the cost of the object in order to maintain the system.

Regarding claims 5, 35 and 65, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill further

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disclosed the step of *determining a content count for the compilation* (McGraw-Hill, page 7), but not the step of *determining a cost for the compilation based upon the content count*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book has a cost associated with the e-book (ksinclair.com). Thus the cost of the compilation for a particular chapter could be calculated based upon the content count. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the content count in order to maintain the system.

**7. Claims 9-10, 24, 39-40, 54, 69-70, 84, 92-93, 95-96 and 98-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over by The McGraw-Hill Companies [McGraw Hill Primis Custom Publishing] in view of Poole et al. [USP 6,006, 242].**

Regarding claims 9, 39 and 69, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but does not disclose the step of *defining a maximum amount of allowable content per volume of content; creating a plurality of volumes of content from the selected content based upon the defined maximum*. Poole teaches an apparatus and method for dynamically constructing an electronic document for subsequent publication in pre-printed or



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electronic form (Poole, Col. 1, Lines 15-20). Poole further discloses the step of *defining a maximum amount of allowable content per volume of content; creating a plurality of volumes of content from the selected content based upon the defined maximum* (Poole, FIG. 17). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill technique by including the step of defining a maximum amount of content in order to compile an e-book online.

Regarding claims 10, 40 and 70, McGraw-Hill and Poole, in combination, teach all of the claimed subject matter as discussed above with respect to claims 9, 39 and 69, Poole further discloses the step of *displaying to the user the selected objects contained in each volume such that the user may selectably move an object from a first to a second of the volumes* (Poole, Col. 11, lines 25-50).

Regarding claims 24, 54 and 84, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but does not explicitly disclose *at least one of the subsets of content is associated with one or more prerequisite subsets of content and upon selection by the user of a selectable object associated with the at least one subset, also including the associated prerequisite subsets of content in the created compilation*. Poole teaches an apparatus and method for dynamically constructing an electronic document for subsequent publication in pre-printed or electronic form (Poole, Col. 1, Lines 15-20). Poole further discloses *at least one of the subsets of content is associated with one or more*

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*prerequisite subsets of content and upon selection by the user of a selectable object associated with the at least one subset, also including the associated prerequisite subsets of content in the created compilation* (Col. 7, Lines 1-6). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill technique to include the nested object in order to compile an e-book with embedded pictures or graphics.

Regarding claims 92, 95 and 98, McGraw-Hill teaches all the claimed subject matters as discussed in claims 1, 31 and 61, McGraw-Hill does not explicitly disclose *the compilation of content is created by recording in a computer-readable structure defining the compilation, for each selected object, a reference to the content entity associated with the selected object*. Poole teaches an apparatus and method for dynamically constructing an electronic document for subsequent publication in pre-printed or electronic form (Poole, Col. 1, Lines 15-20). Poole further discloses *the compilation of content is created by recording in a computer-readable structure defining the compilation, for each selected object, a reference to the content entity associated with the selected object* (FIG. 5). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill technique by referencing the content entities in order to compile an e-book.

Regarding claims 93, 96 and 99, McGraw-Hill and Poole, in combination, teach all of the claimed subject matter as discussed above with respect to claims

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92, 95 and 98, Poole further discloses *the computer-readable structure defining the compilation in a custom content outline (CCO) containing the references that correspond to the selected objects, and wherein said references are identifiers of the content entities associated with the selected objects* (FIG. 5).

***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


**9.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to **HUNG Q PHAM** whose telephone number is **571-272-4040**. The examiner can normally be reached on **Monday-Friday**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **JOHN E BREENE** can be reached on **571-272-4107**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Hung Pham  
November 9, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER